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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,521	10/29/2001	Gary Robin Maze	BS-0001	8628

7590 10/20/2004
Gary R. Maze
5707 Spellman
Houston, TX 77096



EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT PAPER NUMBER

2161

DATE MAILED: 10/20/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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MAR 24 2005
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Office Action Summary

Application No.

10/021,521

Applicant(s)

MAZE ET AL

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

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Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claims Status

Claims 1-20 are pending. Claims 1-20 are rejected in this first action on the merits.

Abstract

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of instant application is not in narrative form because an exemplary embodiment is described in detail. Furthermore, the abstract includes more than 150 words. Appropriate correction is required.

Drawings

The drawings are objected to because the specification references flowcharts Figure 8a and Figure 8b while the drawings show Figure 8 and Figure 9. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as

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“amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The specification is objected to because the section Brief Summary of the Invention has been omitted. Correction per the following is required

Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it

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pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1 recites "at least one searchable summary table." The specification does not contain a full, clear and concise description of the "summary table" such that a skilled artisan can make and use the present invention. It appears that generation of the summary table is solely based on user preference which is not disclosed in the specification.

Claim 1 recites "at least one searchable summary table wherein the summary table. [...] is related to the authority table and the user taxonomy table." The specification does not contain a full, clear and concise description of the relationship between the summary table, the authority table and the taxonomy table such that a skilled artisan can make and use the present invention.

Claim 12 recites "allowing the user to summarize at least a portion of the retrieved raw data, the summarization to be stored in the summary table." The specification does not contain a full, clear and concise description of the method of generating a summary table such that a skilled artisan can make and use the present invention.

Claim 12 recites "examining one or more elements in the user taxonomy table for an appropriate taxonomy table element to associate with the summarization, creating a new element in the user taxonomy table describing an appropriate taxonomy element to associate with the summarization if an appropriate element is not already present in the taxonomy table." The

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specification does not contain a full, clear and concise description of the "appropriate taxonomy table element" such that a skilled artisan can make and use the present invention.

Claim 12 recites "associating the summarization with the appropriate element of the taxonomy table, associating the summarization with the authority table." The specification does not contain a full, clear and concise description of above (1) associating, (2) summarization, and (3) appropriate element, such that a skilled artisan can make and use the present invention.

Claim 13 recites "parsing the raw data prior to storing the captured data in the authority table, generating keywords from the parsed raw data." The specification does not contain a full, clear and concise description of the method of parsing the raw data to produce keywords such that a skilled artisan can make and use the present invention.

Claim 14 recites "generating keywords from the parsed summarization." The specification does not contain a full, clear and concise description of the method of parsing the summarization to produce keywords such that a skilled artisan can make and use the present invention.

Claim 16 recites "receiving a notice of addition of new raw data to the authority table at the user computer." The specification does not contain a full, clear and concise description of the method of receiving the notice such that a skilled artisan can make and use the present invention.

Claim 16 recites "receiving keywords associated with the raw data at the user computer." The specification does not contain a full, clear and concise description of the method of receiving the above keywords such that a skilled artisan can make and use the present invention.

Claim 16 recites “processing the user taxonomy table for keywords associated with one or more predetermined elements of the user taxonomy table for keywords associated with each of those predetermined elements of the user taxonomy table.” The specification does not contain a full, clear and concise description of the method of obtaining keywords from the taxonomy table such that a skilled artisan can make and use the present invention.

Claim 16 recites “examining the keywords associated with each of the predetermined elements of the user taxonomy table against the keywords associated with the new raw data.” The specification does not contain a full, clear and concise description of the method of examining keywords from the taxonomy table against keywords from the raw data such that a skilled artisan can make and use the present invention.

Claim 16 recites “generating a relevance factor for the new raw data based on the examination.” The specification does not contain a full, clear and concise description of the method of generating a relevance factor such that a skilled artisan can make and use the present invention.

Claim 16 recites “suggesting the new raw data to the user as relevant for each of the predetermined elements of the user taxonomy table where the relevance factor is at a predetermined threshold level in each of the predetermined elements of the user taxonomy table.” The specification does not contain a full, clear and concise description of the method of suggesting such that a skilled artisan can make and use the present invention.

Claim 17 recites “formulating a query at a user workstation.” The specification does not contain a full, clear and concise description of the method of formulating a query such that a skilled artisan can make and use the present invention.

Claim 17 recites “analyzing the query for keywords.” The specification does not contain a full, clear and concise description of the method of analyzing the query for keywords such that a skilled artisan can make and use the present invention.

Claim 17 recites “obtaining user filtering input for table to be searched.” The specification does not contain a full, clear and concise description of the method of obtaining user filtering such that a skilled artisan can make and use the present invention.

Claim 17 recites “searching for keywords against the tables using the user filtering input and returning search results to the user.” The specification does not contain a full, clear and concise description of the method of obtaining user filtering input such that a skilled artisan can make and use the present invention. Furthermore, it is unclear what search results are obtained since only keywords are considered.

Claim 18 recites “allowing the user to continue the search outside the tables when the number of search results occurs below a predetermined threshold.” The specification does not contain a full, clear and concise description of the method of (1) searching outside the tables, (2) searching below a predetermined threshold, such that a skilled artisan can make and use the present invention.

Claim 18 recites “allowing the user to continue the search outside the tables on a user initiated command.” The specification does not contain a full, clear and concise description of the method of searching outside the tables on a user initiated command such that a skilled artisan can make and use the present invention.

Claim 19 recites “wherein the filtering input comprises at least one of limiting searches to a selected element of the taxonomy, limiting searches to a plurality of selected elements of the

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taxonomy, limiting searches to all elements of the taxonomy, limiting searches based on fields present for an authority table element, and limiting searches based on fields present for a summary table element.” The specification does not contain a full, clear and concise description of the method of limiting searches such that a skilled artisan can make and use the present invention.

Claim 20 recites “wherein a user viewing a summary table element may be allowed to view the raw data from which that summary was derived, the allowing comprising at least one of selecting a region on a display at the user computer in which the summary is being displayed, selecting a command button on the display, and using one or more keys on a keyboard associated with the user computer.” The specification does not contain a full, clear and concise description of the method of viewing such that a skilled artisan can make and use the present invention.

Claims 2-11 and 15 are rejected for being dependent from a rejected base claim.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 15 recites “wherein the description of the raw data comprises at least one of the raw data, a pointer to the raw data, a description of a file containing the raw data and a description of a remote source location of a file containing the raw data.” The scope of the

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present invention is difficult to determine because it is unclear how a description of the raw data can comprise the raw data.

Art Rejection Precluded

Claims 12-14 and 16-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement and claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. No art rejection of above claims is included in this first examination on the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 4-11 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,640,224 issued to Chakrabarti (hereafter Chakrabarti), as best examiner is able to ascertain.

Claim 1:

Chakrabarti discloses:

- a. a server [inherent in WWW 14, Fig 1] comprising a searchable authority table [tables 22, Fig 1];
- b. a data communications device [Internet 16, Fig 1] operatively in communication with the server;
- c. a user computer [Fig 1, 12] operatively in communication with the data communications device, the user computer having access to the searchable authority table, the user computer further comprising:
 - i. at least one user definable taxonomy table, wherein the taxonomy table: (1) is accessible to the user computer; and (2) is manipulatable by a user with adequate access permission to manipulate the user taxonomy table [taxonomy table, Fig 2, step 36]; and
 - ii. at least one searchable summary table [document test table, col 4, lines 54-65, Fig 2 step 36] wherein the summary table: (1) is accessible to the user computer; (2) is related to the authority table and the user taxonomy table; and (3) is manageable by a user with adequate access permission to manage the summary table;
- d. software [inherent in web site Fig 1, 14] executable in the server to provide access to and management of the authority table;
- e. software executable [classification module 26, Fig 1] in the user computer to provide access to and manipulation of the taxonomy table and the summary table.

Claim 4:

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Chakrabarti discloses wherein the user computer has access to a plurality of searchable raw data via the data communications device [col 3, lines 39-43].

Claim 5:

Chakrabarti discloses wherein the authority table comprises descriptions of at least one of legal data, medical data, educational data, manufacturing data, scientific data, repair data, audiovisual data, and entertainment data [col 3, lines 39-43].

Claim 6:

Chakrabarti discloses wherein the server further comprises a database comprising the authority table [Fig 1, 18].

Claim 7:

Chakrabarti discloses a data network accessible to the server and the user computer via the data communications device; and b. query software executing at least partially in the server; c. whereby computers with access to the data network may be allowed to access predetermined portions of the authority table [col 3, lines 28-43].

Claims 8 and 10:

Chakrabarti discloses the Internet [Fig 1, 16].

Claim 9:

Chakrabarti discloses the data network comprises the Internet; b. the user computer uses Internet browsing software executable at the user computer to access the predetermined portions of the database; and c. the server is an Internet service provider; d. wherein the user computer further has access to a plurality of searchable raw data via the Internet [col 3, lines 28-57]

Claim 11:

Chakrabarti discloses a user interface to the system comprising at least one of an HTML user interface, a non-database language user interface, and a database language interface [col 3, lines 28-43]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chakrabarti in view of US Pat No 5,442,691 issued to Price et al (hereafter Price), as best examiner is able to ascertain.

Claim 2:

Chakrabarti discloses the elements of claim 1 as noted above.

Chakrabarti fails to disclose wherein manipulation of the taxonomy table comprises creating, modifying, associating elements in the taxonomy table with other elements in the taxonomy table for dynamic alternate presentation, rearranging, and deleting elements of the user taxonomy table. Price discloses associating elements in the taxonomy table with other elements in the taxonomy table for dynamic alternate presentation, rearranging, and deleting elements of the user taxonomy table [claim 1]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chakrabarti to include associating elements in the taxonomy table with other elements in the taxonomy table for dynamic alternate presentation, rearranging, and deleting elements of the user taxonomy table as taught by Price for the purpose of providing a call control table for storing call control information for a specific call type being separated into different categories [claim 1]. The ordinarily skilled artisan would have been motivated to improve the invention of Chakrabarti per the above such that the call control table provides a means of routing calls between nodes in a switched digital network [claim 1].

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chakrabarti.

Claim 3:

Chakrabarti discloses the elements of claim 1 as noted above.

Chakrabarti fails to disclose wherein management of the summarization table comprises creating, modifying, and deleting elements of the summary table. Official Notice is taken that management of a table comprising creating, modifying, and deleting elements of the table is well-known and expected in the art since a user uses a summary table to store results obtained from a data gathering step. The ordinarily skilled artisan would have been motivated to improve

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the invention of Chakrabarti per the above such that the table can be created, modified and deleted to incorporate changes in the data. Furthermore, Chakrabarti discloses associating elements of the summary table with at least one element of the user taxonomy table [document test table, col 4, lines 54-65, Fig 2 step 36].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (571) 272-4022.

The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023.

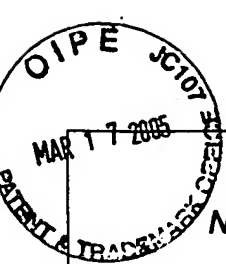
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306

Etienne LeRoux

October 6, 2004


S. METJAHIC
PATENT EXAMINER
BIOLOGY CENTER 2100

**Notice of References Cited**

Application/Control No.

10/021,521

Applicant(s)/Patent Under
Reexamination
MAZE ET AL.

Examiner

Etienne P LeRoux

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U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,640,224	10-2003	Chakrabarti, Soumen	707/5
	B	US-5,442,691	08-1995	Price et al.	379/220.01
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.